

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUNSON COMMUNICATIONS, INC.

Plaintiff,

v.

ARBITRON, INC.

Defendant.

Civil Action No.: 02-CV- 3223

ORDER

AND NOW, this _____ day of _____, 2003, upon consideration of Defendant Arbitron Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6), and any response thereto, it is **ORDERED** that Defendant's Motion is **GRANTED** and Plaintiff's Second Amended Complaint is **DISMISSED WITH PREJUDICE**.

By the Court:

MICHAEL M. BAYLSON, Judge
United States District Court

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BRUNSON COMMUNICATIONS, INC.

Plaintiff,

Civil Action No.: 02-CV- 3223

v.

ARBITRON, INC.

Defendant.

**MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT
PURSUANT TO FED. R. CIV. P. RULE 12(b)(6)**

Defendant, Arbitron, Inc. ("Arbitron"), by its counsel, hereby moves this Court pursuant to Fed. R. Civ. P. 12(b)(6) to enter an order dismissing Plaintiff's Second Amended Complaint in its entirety with prejudice. The grounds in support of the motion are set forth in the accompanying memorandum of law.

Date: April 2, 2003

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